

**REMARKS**

**I. Status of the Claims**

Claims 1-107 were previously cancelled.

Without prejudice or disclaimer, claims 113, 114, 117, 118, and 169 have been cancelled, and claims 108-112, 115, 116, 119-168, and 170-220 have been amended. Support for those amendments can be found either in the claims as originally filed or in the specification, for example, at page 9, lines 22-25, and at page 28, lines 11-19 as originally filed. Accordingly, no new matter is added herein.

Claims 108-112, 115, 116, 119-168, and 170-220 are pending with entry of this amendment.

**II. Election of Species**

In the Office Action, alleging that this application lacks a single general inventive concept under PCT Rule 13.1, the Office requires

(A) an election of the film-forming ethylenic polymer, "specifying the monomer that makes up the polymer, including the glass transition temperatures of each of the monomer that makes up the polymer"; and

(B) an election of film formers as those listed in claims 181 and 182.

Office Action at 2-3.

The Office further requires identification of claims encompassing the elected invention. Applicants respectfully disagree and traverse.

MPEP 1850 II. indicates "[w]hether or not any particular technical feature makes a "contribution" over the prior art, and therefore constitutes a "special technical feature," should be considered with respect to novelty and inventive step." However, the Office

appears to draw the conclusion of lacking single general inventive step solely on the ground that "[t]he claims encompass multitudes of different film-forming ethylenic polymers..." See Office Action at page 4, paragraph 3. It is Applicants' position that the current claims, as amended, share at least one special common structure, for example, the block polymer as recited in the claims, as amended, which is both novel and unobvious over prior art. As such, this election of species requirement is improper and should be withdrawn.

However, to be fully responsive, Applicants provisionally elect, with traverse,

(A) a copolymer of isobornyl methacrylate /acrylic acid /isobutyl acrylate, wherein one block comprises isobornyl methacrylate /acrylic acid, and the other block comprises isobutyl acrylate. Isobornyl methacrylate is believed, if polymerized, would yield a homopolymer with Tg of 110 °C, acrylic acid, with Tg of 105 °C, and isobutyl acrylate, with Tg of -24 °C. Claims 108-112, 115, 116, 119-140, 159-168, and 170-220 are believed to encompass this elected species, and

(B) a film-forming polymer of vinyl pyrrolidone /hexadecane. Claims 108-112, 115, 116, 119-168, 170-181, 187, 191, 192, and 196-220 are believed to encompass this elected species.

Finally, if the Office chooses to maintain the election of species requirement, Applicants expect the Office, if the elected species is found allowable, to continue to examine the full scope of the elected subject matter to the extent necessary to determine the patentability thereof, as required by M.P.E.P. § 803.02 and 35 U.S.C. § 121.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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